



12-31-03

3763

EXPRESS MAIL NO. EV336595295US

**TRANSMITTAL
FORM***(To be used for all correspondence
after initial filing)*

Application Number	10/039,240
Filing Date	January 4, 2002
First Named Inventor	Vincent E. Bryan
Art Unit	3763
Examiner Name	LoAn H. Thanh
Attorney Docket No.	170134.401

ENCLOSURES (check all that apply)

- | | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input checked="" type="checkbox"/> Amendment/Response
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement; Form PTO-1449
<input type="checkbox"/> Cited References
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53
<input type="checkbox"/> Response to Missing Parts/Incomplete Application | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Request for Corrected Filing Receipt
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address
<input type="checkbox"/> Declaration
<input type="checkbox"/> Statement under 37 CFR 3.73(b)
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund | <input type="checkbox"/> CD(s), Number of CD(s) _____
<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group (<i>Appeal Notice, Brief, Reply Brief</i>)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Additional Enclosure(s) (<i>please identify below</i>):

_____ |
|--|---|--|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name	E. Russell Tarleton	Customer Number 00500
Signature	<i>E. Russell Tarleton</i>	RECEIVED
Date	December 30, 2003	JAN 05 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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Date:

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EXPRESS MAIL NO. EV336595295US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Vincent E. Bryan et al.
Application No. : 10/039,240
Filed : January 4, 2002
For : SPINAL NEEDLE SYSTEM

Examiner : LoAn H. Thanh
Art Unit : 3763
Docket No. : 170134.401
Date : December 30, 2003

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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JAN 05 2004

RESPONSE TO RESTRICTION REQUIREMENT TECHNOLOGY CENTER R3700
AND PRELIMINARY AMENDMENT (CORRECTED)

Commissioner for Patents:

In response to the Restriction Requirement dated October 17, 2003, and the Office Action dated December 17, 2003, applicants hereby elect Group I, claims 1-5, 7-10, 12, and 13, for examination at this time. Applicants further elect to prosecute the species corresponding to Figures 1 and 9 and subspecies corresponding to Figures 11a, 11b, of which claims 1-5, 7-10, 12, and 13 read thereon.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

#8
PATENT
C. H. B.
1/6/04
S. Bryce